

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-X

THEODORE KING and GARY LA BARBERA
As Trustees of Local 282 International
Brotherhood of Teamsters Welfare, Pension,
Annuity, Job Training and Vacation Sick Leave
Trust Funds,

Index No.: CV-05-5147 (ARR)

Plaintiffs,

**STIPULATION
DISCONTINUING ACTION**

-against-

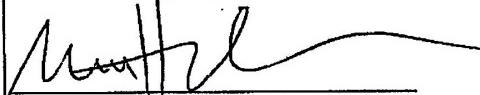
RAILROAD CONSTRUCTION COMPANY, INC.
d/b/a RAILROAD CONSTRUCTION CO., INC.,

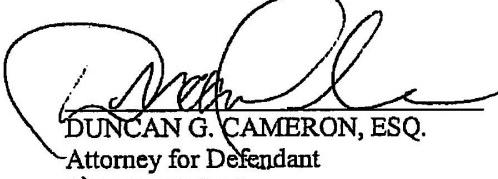
Defendant.

-X

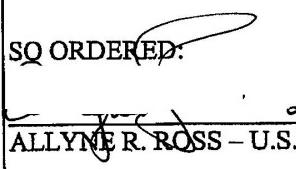
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of this action, the above entitled action be, and the same hereby is discontinued without prejudice. All time periods, *inter alia*, remain subject to audit and other means of verification, which may result in additional principal and/or late charges being found to be due and owing.

Dated: New York, New York
January 31, 2006


AVRAM H. SCHREIBER, ESQ.
Attorney for Plaintiffs
(AS-2860)
40 Exchange Place, Suite 1300
New York, New York 10005


DUNCAN G. CAMERON, ESQ.
Attorney for Defendant
(Dec 26/06)
Lewis & McKenna
521 Fifth Avenue, 33rd Floor
New York, New York 10175

SQ ORDERED:


ALLYNE R. ROSS - U.S.D.J.

2/23/06